

CHRISTOPHER P. BURKE, ESQ.
Nevada Bar No.: 004093
atty@cburke.lvcoxmail.com
218 S. Maryland Pkwy.
Las Vegas, Nevada 89101
(702) 385-7987
Attorney for Debtor

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

ELIZABETH ANN RAMSEY,

Debtor.

Case No.: 21-10230-MKN
Chapter 7

**MOTION FOR CONVERSION FROM
CHAPTER 7 TO CHAPTER 13**

Date: OST
Time: OST

COMES NOW Debtor, Elizabeth Ann Ramsey (“Debtor” or “Ramsey”) and pursuant to Section 706(a) of the United States Bankruptcy Code, and Bankruptcy Rule 1017(f)(2), hereby moves this Court to convert her Chapter 7 bankruptcy proceeding to a Chapter 13 proceeding.

Section 706(a) provides that debtor has a right to convert a chapter 7 case to a case under chapter 13, at any time, as long as the case was commenced as a chapter 7 case, and had not previously been converted and qualifies for chapter 13. Though the Supreme Court has tempered this right in limited circumstances, if a debtor engages in fraudulent conduct. *Marama v. Citizens Bank of Mass.*, 127 S.Ct.1105(2007). A situation not applicable here.

Ramsey filed her chapter 7 on January 19, 2021. Since this Court’s August 3, 2021 decision to discharge Plaintiffs Eugene Tumbarello and Shamrock Painting Inc.’s debt (Adv. 21-01039-MKN- Dkt.#58), the Chapter 7 Trustee now seeks to sell her home. (Dkt.#73).

1 Therefore, the Debtor seek to convert and deal with her creditors through a chapter 13 plan.

2 A motion to convert is **not** considered a contested matter under Rule 9014. See 1987
3 Advisory Committee Note to Fed. R. Bankr. P. 1017. Instead, it is by motion, filed and
4 served as required by Rule 9013. But because of the *Marama* decision, the Debtor seek
5 Court approval to convert.

6 THEREFORE, Debtor respectfully requests that her Motion to Convert to Chapter
7 13 be granted.

8 Dated this 26th day of August, 2022

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10 Respectfully Submitted:

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12 /s/ Christopher P. Burke, Esq.
13 Christopher P. Burke, Esq.
14 Nevada Bar No.: 004093
218 S. Maryland Pkwy.
Las Vegas, NV 89101
Attorney for Debtor
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